

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP BIG LEGGINS

Defendant.

CR-04-112-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 12, 2024. (Doc. 84.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 11, 2024. (Doc. 80.) The United States accused Phillip Big Leggins (Big Leggins) of violating his

conditions of supervised release by (1) having been released from the Bureau of Prisons custody on May 3, 2024, failed to report within 72 hours to the United States probation office in Great Falls, Montana, the district to which the Defendant was released. (Doc. 77.)

At the revocation hearings, Big Leggins admitted to having violated the conditions of his supervised release by (1) failing to report within 72 hours of his release from imprisonment to the United State probation office in Great Falls, Montana, the district to which the Defendant was released. (Doc. 80.)

Judge Johnston found that the violation Big Leggins admitted proves serious and warrants revocation of his supervised release and recommends a sentence of 12 months and 1 day with no supervised release to follow. Big Leggins was advised of his right to appeal and his right to allocute before the undersigned and waived those rights. (Doc. 80.) The violations prove serious and warrants revocation of Big Leggins's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 84.) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Phillip Big Leggins be sentenced to a term of custody for 12 months and 1 day with no supervised release to follow. The Court further recommends that Big Leggins' custodial sentence be served at Fairton FCI .

DATED this 14th day of June, 2024.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court